

Prob 12B
(7/93)

UNITED STATES DISTRICT COURT

for the

District of Nebraska

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
06 JAN 19 PM 3:35
OFFICE OF THE CLERK

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Elvis Patrick Henry **Docket Number:** 8:05CR144-2

Sentencing Judge: The Honorable Joseph F. Bataillon
Chief U.S. District Judge

Date of Original Sentence: November 22, 2005

Original Offense: Simple Assault

Original Sentence: 3 years probation

Type of Supervision: Probation

Date Supervision Commences: November 22, 2005 to November 21, 2008

PETITIONING THE COURT

☐ To extend the term of supervision for _____, for a total term of _____

☒ To modify the conditions of supervision as follows:

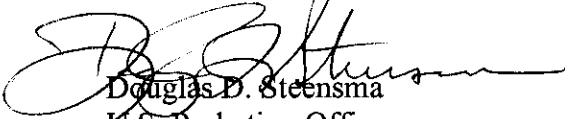
You shall be placed on Home Confinement for a period of one (1) month, to commence within thirty (30) days of this modification. During this time, you shall remain at your place of residence except for employment and other activities approved in advance by the probation officer. You shall maintain a telephone at your place of residence without any "call forwarding", "caller ID", "call waiting", modems, answering machines, cordless telephones or other special services for the above period. You shall wear an electronic device and shall observe the rules specified by the Probation Office.

CAUSE

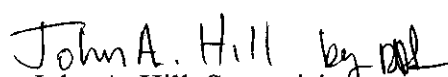
Mr. Henry is currently being supervised by U. S. Probation Officer Christopher Hopper from the Northern District of Iowa. Mr. Henry has recently tested positive for methamphetamine and marijuana, and has failed to comply drug testing procedures. U.S. Probation Officer Hopper believes a term of home confinement will provide additional structure to keep Mr. Henry in compliance with the court order.

HENRY, Elvis P.
Request for Modifying the Conditions
January 18, 2006

Respectfully submitted,



Douglas D. Steensma
U.S. Probation Officer

Reviewed by,


John A. Hill, Supervising
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as noted above
- ☒ The Modification of Conditions as noted above
- ☐ Other


The Honorable Joseph F. Bataillon
Chief U.S. District Judge

1/19/06
Date

PROB 49

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT
for the
DISTRICT OF NEBRASKA

I, Elvis Patrick Henry, have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and I agree to the following modification of my Conditions of Supervised Release:

You shall be placed on home detention for a period of one (1) month, to commence within thirty (30) days of this modification. During this time, you shall remain at your place of residence except for employment and other activities approved in advance by the probation officer. You shall maintain a telephone at your place of residence without any "call forwarding," "Caller ID," "call waiting," modems, answering machines, cordless telephones or other special services for the above period. You shall wear an electronic device and shall observe the rules specified by the Probation Department.

Signed: Elvis Henry
Elvis Patrick Henry
Supervised Releasee

Witnessed: Christopher Hopper
Christopher Hopper
U.S. Probation Officer

1/3/06
DATE